REFUND COMPLETED PCT NATIONAL DIVISION

REFUND COMPLETED March 16, 2005PCT NATIONAL DIVISION 1114 1112:35

OBLON SPIVAK **McClelland** MAIER · & -NEUSTADT P.C.

ATTORNEYS AT LAW

KATHLEEN A. MORSBERGER CONTROLLER (703) 412-6494 KMORSBERGER@OBLON.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Box 16

Washington, DC 20231

Attn: Frank Lebron Refund Department

Re:

Deposit Account #150030

Dear Mr. Lebron

Enclosed is a copy of a portion of our Deposit Account Statement of February, 2005. Please review the highlighted charge on Serial Number 10/523,927 in the amount of \$100.00 on fee code #1633.

In accordance with the rule change of February 1, 2005, Title 37 CFR Part 1, Section 1.492 (copy attached), "the search fee for an international application entering the national stage ... is \$400.00 ..." Therefore the \$400.00 search fee (not the old fee of \$500.00) is correct and a refund should be issued for the extra \$100.00 charged on our deposit account.

Please review this application and kindly refund \$100.00 to deposit account #150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Debbie Noel at (703) 412-6296. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,

MAIER & NEUSTADT, P.C.

Debra J. Noel

Accounting Department / Accounting Department /

Adjustment date: 64/28/289

Enclosures

02 FC:1632 01 FC:1642

1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A. TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ WWW.OBLON.COM

United States Patent & Trademark Office Credit Card Payment Form

Gredit Card Information	
Credit Card Type: American Express	
Credit Card Account #: 3787-350712-61007	·
Credit Card Expiration Date: December 31, 2005	
Name as it Appears on Credit Card: Prue, LaYonda P.	
Payment Amount: \$(US Dollars): 900.00	
Signature:	Date: February 7, 2005
Credit Card Billing Addr	ess united the street of the second
Street Address 1: Oblon, Spivak, McClelland, Maier & Neustadt, P.C.	
Street Address 2: 1940 Duke Street	
City: Alexandria	
State: Virginia	Zip/Postal Code: 22314
Country: U.S.A.	
Daytime Phone #: (703) 413-3000 Accounting Dept.	Fax #: (703) 413-2220
Request and Payment Infor	mation & State Control
Description of Request and Payment Information:	
New U.S. PCT Application	
Application No.:	
Patent/Registration No.:	
Docket No.: 264288US	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent & Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

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Refund Ref: 04/20/2005

0030021333

Credit Card Refund Total:

\$100.00

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Deposit Account Statement

Requested Statement Month:

Deposit Account Number:

Name:

Attention:

Address:

City:

State:

Zip:

February 2005

150030

NORMAN F. OBLON

1940 DUKE STREET

ALEXANDRIA

VA

22314

DATE SE	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/01 78	10503936	256748US6PCT	1201	\$2,000.00	\$16,574.71
02/01 79	10503936	256748US6PCT	1202	\$350.00	\$16,224.71
02/01 192	10880101	254622WO/TEP/FF	8007	\$20.00	\$16,204.71
02/01 245		255455US/KQU	8007	\$60.00	\$16,144.71
02/01 342	60538457	248191USUS/KQU	8007	\$20.00	\$16,124.71
02/01 343	60559950	251700US/KQU	8007	\$20.00	\$16,104.71
02/02 5	09889141	211141US2PCT	1806	\$180.00	\$15,924.71
02/02 6	10940012	258658US25CONT	1202	\$200.00	\$15,724.71
02/02 262	60573420	253699US/KQU	8007	\$40.00	\$15,684.71
02/03 85	10760499	247798US2SX CONT	1201	\$200.00	\$15,484.71
02/04 10	09836470	205801USDIV	1202	\$500.00	\$14,984.71
02/04 34	11045337	265332US90	1202	\$1,100.00	\$13,884.71
02/04 82	10498357	254769US6PCT	1617	\$130.00	\$13,754.71
02/04 167	10764467	245417US/KQU	8007	\$20.00	\$13,734.71
02/04 169	10764569	245418US/KQU	8007	\$20.00	\$13,714.71
02/04 174	10780640	249160US/KQU	8007	\$60.00	\$13,654.71
02/04 176	60557687	250390US/KQU	8007	\$20.00	\$13,634.71
02/04 177	10796064	248424US/KQU	8007	\$80.00	\$13,554.71
02/04 275	10764527	245419US/KQU	8007	\$20.00	\$13,534.71
02/07 26	PAYMENT		9203	-\$20,000.00	\$33,534.71
02/07 51	10002434	263467US8	1463	\$70.00	\$33,464.71
02/07 140	10212399	263471US8	1463	\$70.00	\$33,394.71
02/07 185	60566077	252645US/KQU	8007	\$60.00	\$33,334.71
02/07 381	0155740001	254464MX/TEP/FF	8014	\$25.00	\$33,309.71
02/08 4	10488242	249173US2XPCT	1463	\$70.00	\$33,239.71
02/08 136	10408218	236211US30/JEM	1251	\$120.00	\$33,119.71
02/08 173	10523108	262509US2PCT	1633	\$100.00	\$33,019.71
02/09 11	10355304	233504USOSCO	1252	\$450.00	\$32,569.71



	02/10	1	10279098	229719US3CON	1806	\$180.00	\$32,389.71
	02/10	2	10495754	253653US0PCT	1615	\$700.00	\$31,689.71
	02/10	2	P110116		1463	\$70.00	\$31,619.71
	02/10	3	10147874	223316US0	1202	\$50.00	\$31,569.71
	02/10	141	10500863	255939USPCT	1617	\$130.00	\$31,439.71
	02/11	1	10419849	236940US90	1251	\$120.00	\$31,319.71
	02/11	31		-224317WD	9204	-\$10.00	\$31,329.71
	02/11		PCT/US03/15392	2-218 216 WO	9204	- \$60.00	\$31,389.71
	02/11		PCT/US03/15391		9204	-\$60.00	\$31,389.71 \$31,449.71
	02/11			l 222038Wの 251482USPROV/KQU		\$20.00	
	02/11		10523393	265017US6PCT	1615	\$100.00	\$31,429.71 \$31,320.74
	02/11		10523394	265436US90PCT	1616	\$100.00	\$31,329.71 \$34,339.74
	02/11		10523395	265470US0PCT	1633	\$100.00	\$31,229.71
	02/11		10523392	264741US2PCT	1616	\$100.00	\$31,129.71
	02/11		PCT/US04/11238		1605		\$31,029.71
	02/11		PCT/US04/11238		1705	\$600.00	\$30,429.71
	02/11		10523417	264738US0PCT	1633	\$162.00 \$400.00	\$30,267.71
	02/14		10523417	264930US3 PCT		\$100.00	\$30,167.71
	02/14		10523414	264689US0PCT	1614 1617	\$100.00 \$100.00	\$30,067.71
	02/14		10523585	265502US2PCT	1616	\$100.00 \$100.00	\$29,967.71
	02/14		10523586	265146US3PCT	1615	\$100.00 \$100.00	\$29,867.71
	02/15	_	10612926	239954US2		\$100.00	\$29,767.71
	02/15		10450709	239267US2PCT	1806	\$180.00	\$29,587.71
	02/15		10617190	240331US0	1251	\$120.00	\$29,467.71
	02/15		11017847	263755USO	1806	\$180.00	\$29,287.71
	02/15		10367706	232794US3	1202	\$200.00	\$29,087.71
	02/15		10367706	232794US3	1202	\$950.00	\$28,137.71
	02/15		10523794		1201	\$600.00	\$27,537.71
	02/16		10502052	264508US0PCT 255861US0PCT	1633	\$100.00	\$27,437.71
	02/16		10921992	257463US90CONT	1615	\$100.00	\$27,337.71
	02/16		10685599	243712US2S DIV	1806	\$180.00	\$27,157.71
	02/16		09748243	201216US2	1251	\$120.00	\$27,037.71
	02/16		11023486	263965US0DIV	1806	\$180.00	\$26,857.71
	02/16		10986205		1203	\$360.00	\$26,497.71
	02/16		10523919		8007	\$20.00	\$26,477.71
	02/16				1633	\$100.00	\$26,377.71
	2/16				1633	\$100.00	\$26,277.71
	2/16				1633	\$100.00	\$26,177.71
	2/16				1633	\$100.00	\$26,077.71
	2/16				1614.	\$100.00	\$25,977.71
	2/16				1614	\$100.00	\$25,877.71
_	2/16			1	1633	\$100.00	\$25,777.71
_	2/16				1633	\$100.00	\$25,677.71
	2/17			11 - 1	1633	\$100.00	\$25,577.71
	2/17				9204 1633	-\$100.00	\$25,677.71
	2/17 <i>4</i>				1633 1081	\$100.00 \$750.00	\$25,577.71
	2/17 ·				8007	\$750.00	\$24,827.71
	2/17 ·				800 <i>7</i> 8007	\$60.00 \$30.00	\$24,767.71
-				EURU IAUU/KUU (0007	\$20.00	\$24,747.71

applicability, as defined in PCT Article 33(1) to (4), have been satisfied for all of the claims presented in the application entering the national stage; and (2) the examination fee for an international application entering the national stage under 35 U.S.C. 371 is \$200.00 (\$100.00 for a small entity) in all other situations.

Section 1.496: Section 1.496 is amended to revise its references to § 1.492 to reflect the changes in § 1.492.

Rule Making Considerations

Administrative Procedure Act: Pursuant to its authority under 35 U.S.C. 376(b), the Office has reduced the patent fees set forth in § 1.492 to less than the amount specified in 35 U.S.C. 41. Existing rights and obligations are not otherwise changed. The Office has good cause to implement this fee reduction without prior notice and comment. It is in the public interest to immediately implement the reduced search and examination fees because delay in the adoption of these fee reductions would cause harm to those applicants who currently meet the conditions for entitlement to a fee reduction. Without immediate implementation, applicants who are currently filing search and examination fees in order to avoid abandonment of their applications will be unnecessarily paying higher search and examination fees. The Office believes the public wants these new reduced fees to become effective as soon as possible as the public should benefit from the efficiencies and savings resulting therefrom. In addition, the Office believes that prior notice and comment is unnecessary because it does not expect the public to object to the reduction of search and examination fees. Moreover, the Office does not believe the public needs time to conform its conduct so as to avoid violation of these regulations. In order to give the public the immediate benefit of the Office's decision to reduce specified search and examination fees, the Office finds, pursuant to the authority provided at 5 U.S.C. 553(b)(B), good cause to adopt this change without prior notice and an opportunity for public comment, as such procedures are contrary to the public interest. See Nat. Customs Brokers & Forwarders Ass'n v. U.S., 59 F.3d 1219, 1223-24 (Fed. Cir. 1995).

Nothing in this or any other law requires delayed implementation of the fee reductions. 35 U.S.C. 41(g) provides that: "[n]o fee established by the Director under [35 U.S.C. 41] shall take effect until at least 30 days after notice of the fee has been published in the

Federal Register and in the Official Gazette of the Patent and Trademark Office." Since the reduced search fees and examination fees specified in §§ 1.492(b) and (c) are established by the Office on the basis of the Office's authority under 35 U.S.C. 376(b) (rather than the authority in 35 U.S.C. 41), the thirty-day advance publication requirement of 35 U.S.C. 41(g) does not apply to the reduced search fees and examination fees specified in § 1.492(b) and (c).

Accordingly, the changes in this interim rule may be adopted without prior notice and opportunity for public comment under 5 U.S.C. 553(b) and (c), or thirty-day advance publication under 5 U.S.C. 553(d) or 35 U.S.C. 41(g).

Regulatory Flexibility Act: As prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553 (or any other law), neither a regulatory flexibility analysis nor a certification under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) are required. See 5 U.S.C. 603.

Executive Order 13132: This rule making does not contain policies with federalism implications sufficient to warrant preparation of a Federalism Assessment under Executive Order 13132 (Aug. 4, 1999).

Executive Order 12866: This rule making has been determined to be not significant for purposes of Executive Order 12866 (Sept. 30, 1993).

Paperwork Reduction Act: This interim rule involves information collection requirements that are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). The collection of information involved in this interim rule has been reviewed and previously approved by OMB under the following control number: 0651-0021. The Office is not resubmitting an information collection package to OMB for its review and approval because the changes in this interim rule do not affect the information collection requirements associated with the information collection under this OMB control number.

Interested persons are requested to send comments regarding this information collection, including suggestions for reducing this burden, to Robert J. Spar, Director, Office of Patent Legal Administration, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450, or to the Office of Information and Regulatory Affairs of OMB, New Executive Office Building, 725 17th Street, NW., Room 10235, Washington, DC 20503,

Attention: Desk Officer for the United States Patent and Trademark Office.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number.

List of Subjects in 37 CFR Part 1

Administrative practice and procedure, Courts, Freedom of Information, Inventions and patents, Reporting and recordkeeping requirements, Small businesses.

■ For the reasons set forth in the preamble, 37 CFR part 1 is amended as follows:

PART 1—RULES OF PRACTICE IN PATENT CASES

■ 1. The authority citation for 37 CFR part 1 continues to read as follows:

Authority: 35 U.S.C. 2(b)(2).

■ 2. Section 1.492 is amended by revising paragraphs (b) and (c) to read as follows:

§ 1.492 National stage fees.

(b) Search fee for an international application entering the national stage under 35 U.S.C. 371 if the basic national fee was not paid before December 8, 2004:

(2) If an international search report on the international application has been prepared and is provided to the Office no later than the time at which the search fee is paid:

By a small entity (§ 1.27(a)) \$200.00 By other than a small entity \$400.00

(3) In all situations not provided for in paragraphs (b)(1) or (b)(2) of this section:

By a small entity (§ 1.27(a)) \$250.00 By other than a small entity \$500.00

(c) The examination fee for an international application entering the national stage under 35 U.S.C. 371 if the basic national fee was not paid before December 8, 2004:

(1) If an international preliminary examination report on the international application prepared by the United States International Preliminary Examining Authority states that the

February 24, Due Date By NFO/lpp/FF SMM&N File No. 264288USOPCT Serial No. New U.S. PCT Application based on PCT/CZ03/00058 In the matter of the Application of Hana STEPANKOVA, et al. For A METHOD OF PRODUCTION OF (-)-(S)-3-[1-(DIMETHYLAMINO)ETHYLIPHENYL-N-ETHYL-N-METHYLCARBAMATE The following has been received in the U.S. Patent Office on the date stamped hereon: ■ Combined Declaration, Petition & Power of Attorney (3 pages) Application Data Sheet ... ■ Notice of Priority Dep. Acct. Order Form Credit Card Payment Form for \$900.00 PCT Transmittal Letter ■ Preliminary Amendment ■ PCT/IB/304 ■ International Preliminary Examination Report **■ PTO-1449** Information Disclosure Statement ■ Statement of Relevancy ■ Cited References (4) ■ International Search Report ■ Annexes to International Preliminary Examination Report Amended Sheets (Pages 3-5, 15 and 16) SERIAL NO.

DATE RECEIVED

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIM	T NUMBER D. (If known, see 37 CFR 1.5		
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. PCT/CZ03/00058 INTERNATIONAL FILING DATE PRIORITY DATE CLAIM PCT/CZ03/00058 TITLE OF INVENTION A METHOD OF PRODUCTION OF (-)-(S)-3-[1-(DIMETHYLAMINO)ETHYL]PHENYL-N-ETHYL-N-ME APPLICANT(S) FOR DO/EO/US Hana STEPANKOVA, et al.	D. (If known, see 37 CFR 1.5		
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. PCT/CZ03/00058 INTERNATIONAL FILING DATE 21 October 2003 TITLE OF INVENTION A METHOD OF PRODUCTION OF (-)-(S)-3-[1-(DIMETHYLAMINO)ETHYL]PHENYL-N-ETHYL-N-ME APPLICANT(S) FOR DO/EO/US Hana STEPANKOVA, et al.	D. (If known, see 37 CFR 1.5		
INTERNATIONAL APPLICATION NO. PCT/CZ03/00058 INTERNATIONAL FILING DATE 21 October 2003 PRIORITY DATE CLAIM 24 Octo TITLE OF INVENTION A METHOD OF PRODUCTION OF (-)-(S)-3-[1-(DIMETHYLAMINO)ETHYL]PHENYL-N-ETHYL-N-ME APPLICANT(S) FOR DO/EO/US Hana STEPANKOVA, et al.			
PCT/CZ03/00058 21 October 2003 24 October 2003 25 October 2003			
TITLE OF INVENTION A METHOD OF PRODUCTION OF (-)-(S)-3-[1-(DIMETHYLAMINO)ETHYL]PHENYL-N-ETHYL-N-ME APPLICANT(S) FOR DO/EO/US Hana STEPANKOVA, et al.			
A METHOD OF PRODUCTION OF (-)-(S)-3-[1-(DIMETHYLAMINO)ETHYL]PHENYL-N-ETHYL-N-ME APPLICANT(S) FOR DO/EO/US Hana STEPANKOVA, et al.	ober 2002		
Hana STEPANKOVA, et al.	ETHYLCARBAMATE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following Items and other in			
Typican notwith satisfies to the Office States Designated Elected Office (DO/EO/OS) the following items and other it			
	information;		
1. A This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.	•		
2. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.			
 This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission n (9) and (24) indicated below. 	must include items (5), (6),		
4. 🛮 The US has been elected (Article 31).			
5. 🛛 A copy of the International Application as filed (35 U.S.C. 371 (c)(2))			
 a. is attached hereto (required only if not communicated by the International Bureau). 			
b. 🗵 has been communicated by the International Bureau.			
c. I is not required, as the application was filed in the United States Receiving Office (RO/US).			
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).			
a. is attached hereto.			
b. has been previously submitted under 35 U.S.C. 154(d)(4).			
7. 🖾 Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))			
 a. are attached hereto (required only if not communicated by the international Bureau). 			
b. have been communicated by the International Bureau.			
c. have not been made; however, the time limit for making such amendments has NOT expired.			
d. 🗵 have not been made and will not be made.	,		
8.	(3)).		
9. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).			
10. An English language translation of the annexes to the International Preliminary Examination Report under I Article 36 (35 U.S.C. 371 (c)(5)).	PCT		
11. 🛛 A copy of the International Preliminary Examination Report (PCT/IPEA/409).			
12. A copy of the International Search Report (PCT/ISA/210).			
items 13 to 23 below concern document(s) or information included:	•		
13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31	Is included.		
15. 🛛 A FIRST preliminary amendment.			
16. A SECOND or SUBSEQUENT preliminary amendment.	A SECOND or SUBSEQUENT preliminary amendment.		
17. A substitute specification.			
18. A power of attorney and/or change of address letter.	•		
19. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821	- 1.825.		
20. A second copy of the published International Application under 35 U.S.C. 154(d)(4).			
21. A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4)	4).		
22. Express Mail Label No.			
23. Other items or information:			
Application Data Sheet/Notice of Priority/PCT/IB/304/PTO-1449/Statement of Relevancy/Cited References (4) Amended Sheets (Pages 3-5, 15 and 16))		

PTO-1390 (Rev. 12-2004)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. U.S. APPLICATION NO (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER PCT/CZ03/00058 264288US0PCT 24. The following fees are submitted: Applicant use Office use \$300.00 \$300.00 \$200.00 \$200.00 \$500.00 \$400.00 **TOTAL OF ABOVE CALCULATIONS =** \$1000.00 \$900.00 Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. **Total Sheets Extra Sheets** Number of each additional 50 or RATE fraction thereof (round up to a whole - 100 = /50 = \$250.00 \$ \$0.00 Surcharge of \$130.00 for furnishing the oath or declaration later than months from the \$ earliest claimed priority date (37 CFR 1.492(e)). **CLAIMS NUMBER FILED NUMBER EXTRA** RATE Total claims 12 - 20 = 0 \$50.00 \$0.00 Independent claims 1 - 3= 0 X \$200.00 \$0.00 MULTIPLE DEPENDENT CLAIMS (if applicable) \$360.00 \$0.00 TOTAL OF ABOVE CALCULATIONS = \$900.00 Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are \$0.00 reduced by 1/2. SUBTOTAL = \$900.00 Processing fee of \$130.00 for furnishing the English translation later than 30 months from \$0.00 the earliest claimed priority date (37 CFR 1.492(f)). \$900.00 **TOTAL NATIONAL FEE =** Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property \$0.00 TOTAL FEES ENCLOSED = \$900.00 Amount to be refunded: Amount to be charged: a. A check in the amount of \$ to cover the above fees is enclosed. Please charge my Deposit Account No. in the amount of to cover the above fees. A duplicate copy of this sheet is c. X The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment 15-0030 . A duplicate copy of this sheet is enclosed. d. X Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038, NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the international Application to pending status. SEND ALL CORRESPONDENCE TO: **SIGNATURE** Norman F. Oblon **CUSTOMER NUMBER** 22850 NAME 24,618

REGISTRATION NUMBER